

ORIGINAL

Before the  
Federal Communications Commission  
Washington, D.C. 20554

JUL 16 1997

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

In the Matter of )

Advanced Television Systems )  
and Their Impact Upon the )  
Existing Television Broadcast )  
Service )

87-268  
MM Docket No. 87-628

TO: The Commission

TRIBUNE BROADCASTING'S OPPOSITION TO  
TRINITY CHRISTIAN CENTER OF SANTA ANA, INC.'S  
PETITION FOR RECONSIDERATION

Tribune Broadcasting Company ("Tribune"), on behalf of wholly-owned subsidiary, KWGN Inc., licensee of KWGN-TV, Denver, Colorado, hereby files this Opposition to the Petition for Reconsideration filed by Trinity Christian Center of Santa Ana, Inc. ("Trinity") on June 13, 1997.

Trinity, in its Petition for Reconsideration, requests that the Commission assign new DTV channels to several stations. Trinity claims that this is necessary in order to avoid causing irreparable interference to existing Trinity translators. Among Trinity's suggested changes is that KWGN, NTSC channel 2 in Denver, Colorado, be assigned DTV channel 68 rather than its currently assigned DTV channel 34. For the reasons stated below, this suggestion is unacceptable.

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TECHNICAL STATEMENT  
SUPPORTING AN OPPOSITION TO THE  
PETITION FOR RECONSIDERATION  
FILED BY TRINITY BROADCASTING NETWORK.

This Technical Statement supports an opposition from Tribune Broadcasting Company (Tribune) to the petition for reconsideration filed by Trinity Broadcasting Network (TBN). Tribune is the licensee of television (TV) station KWGN-TV on analog channel 2 at Denver, Colorado. The Federal Communications Commission (FCC) allotted channel 34 to KWGN-TV as its digital television (DTV) assignment in the Sixth Report and Order (6<sup>th</sup> R&O) in Mass Media (MM) Docket No. 87-268. TBN's petition for reconsideration requests channel 68 to be assigned as the DTV allotment for KWGN-TV instead of channel 34.

TBN is the licensee of low power television (LPTV) station K33DN on channel 33 at Denver. Because K33DN will be displaced upon activation of DTV channel 34, TBN suggests the substitution of channel 68 and alleges that it will be a suitable replacement. Tribune disagrees and opposes the substitution.

First, channel 34 is within the FCC's core band for television, where as, channel 68 is outside. Furthermore, channel 68 is within the channel 60 to 69 band which the FCC plans to immediately recapture and reassign from television broadcast to other services.

A study using the FCC's minimum separation requirements indicates no separation problems for DTV channel 34. However, use of DTV channel 68 for KWGN-TV would create a separation problem with respect to station KWHB on analog channel 53 at Castle Rock, Colorado. The actual separation between KWGN-TV and KWHB is 60.1 kilometers. The FCC prohibits DTV and analog assignments 15 channels apart where the separation is between 24.1 and 96.6 kilometers.

Use of DTV channel 68 will reduce the degree of replication of existing KWGN-TV service as compared to channel 34. To illustrate, the following is a tabulation of the extent of the predicted Grade B contour for the KWGN-TV analog operation as compared to DTV operations on channels 34 and 68. The FCC assigned an ERP of 1000 kW at an antenna HAAT of 319 meters to KWGN-TV for DTV channel 34. The same power and height is assumed for a channel 68 DTV operation.

In accordance with the method employed by the FCC, the DTV noise limited contours have been adjusted for the dipole factor.

<u>KWGN-TV Operation</u>	<u>Channel</u>	<u>Contour</u>	<u>Distance</u>
Present analog, 100 kW, 319 m	2	47 dBu	105.1 km
Assumed DTV, 1000 kW, 319 m	34	40.7	99.5
Assumed DTV, 1000 kW, 319 m	68	43.3	94.2

A DTV propagation analysis computer program available through TA Services of the National Telecommunications Information Agency (NTIA) in Boulder, Colorado has been used to determine and compare the calculated areas of service for the KWGN-TV analog and digital operations. The NTIA program uses the Longley-Rice propagation model and general methodology employed by the FCC during the DTV allocation process. The following is a comparison of the predicted service for KGNT-TV based on its current analog operation on channel 2, the FCC's proposed DTV operation on channel 34, and TBN's suggested alternative DTV operation for KWGN-TV on channel 68.

<u>KWGN-TV Operation</u>	<u>Channel</u>	<u>Population</u>	<u>Households</u>	<u>Land Area</u>
Present, 100 kW, 319 m	2	2,217,000	867,000	28,120 sq km
FCC DTV, 1000 kW, 319 m	34	2,192,000	857,000	25,800
TBN DTV, 1000 kW, 319 m	68	2,143,000	837,000	20,850

As demonstrated above, DTV channel 34 does not replicate KWGN-TV's existing analog coverage, and TBN's suggestion for DTV channel 68 as an alternative only worsens the replication problem.

***du Treil, Lundin & Rackley, Inc.***

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Trinity Broadcasting

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In summary, Tribune has demonstrated that channel 68 is not a suitable replacement for channel 34 as KWGN-TV's DTV allotment. If there are questions concerning this Technical Statement, please contact the office of the undersigned.



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First, KWGN's use of DTV channel 68, as opposed to DTV channel 34, would run counter to the Commission's goal of adopting "an approach that provides for a high degree of service replication by all stations." Sixth Report and Order, FCC 97-115, ¶ 30, released April 21, 1997 ("Sixth Report & Order"). As demonstrated in the attached Technical Statement ("Attachment 1"), the Commission's assignment of DTV channel 34 to KWGN already results in a loss of service to 25,000 persons, 10,000 households, and 23,020 square kilometers of land area. See Attachment 1 at 2. Trinity's proposal would result in a loss of service to an additional 49,000 persons, 20,000 households, and 4950 square kilometers of land area. Id. Because Trinity's proposal violates the Commission's goal of substantial service area replication, it must be rejected.

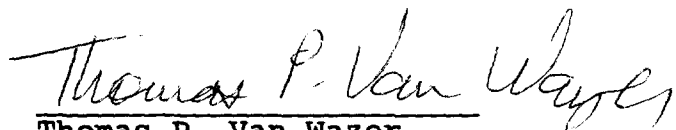
Second, KWGN's use of DTV channel 68 would violate the Commission's separation requirements. The Commission prohibits DTV and analog assignments fifteen channels apart where the separation is between 24.1 and 96.6 kilometers. Sixth Report & Order ¶ 215. Trinity's proposal would cause KWGN to be within fifteen channels of KWHD, NTSC channel 53 in Castle Rock, Colorado. The actual separation between KWGN and KWHD is 60.1 kilometers. Attachment 1 at 1. Because Trinity's proposal would violate the Commission's spacing requirements, it must be rejected.

Third, KWGN's current DTV channel 34 is within the Commission's core band, whereas channel 68 is within the range of channels that the Commission plans to immediately recapture and reassign following the transition period. See Reallocation of Television Channels 60-69, the 746-806 MHz Band, Notice of Proposed Rule Making, ET Docket No. 97-157, released July 10, 1997. The use of channel 68 would require KWGN to relocate to a second channel within the core spectrum at the end of the DTV transition period. The Commission's allotment of channel 34, however, would eliminate the substantial additional expenses and viewer confusion that KWGN would otherwise incur if it is forced to construct and operate a non-core digital facility as proposed by Trinity and then relocate to the core spectrum.

Finally, the impetus for Trinity's proposal is its view that the Sixth Report & Order "disproportionately impacts, and displaces television translator and LPTV services." Trinity's argument ignores the Commission's decision "to maintain the secondary status of low power stations." Sixth Report & Order, ¶ 142. Indeed, the Commission has recognized that "in providing all full service TV stations with a second DTV channel . . . it will be necessary to displace a number of LPTV and TV translator operations." Id. ¶ 141. Trinity has provided no new arguments or information in its Petition not already considered by the Commission when it reaffirmed the secondary status of low power and translator stations.

For the foregoing reasons, Trinity's Petition for Reconsideration, including its proposal to assign DTV channel 68 rather than DTV channel 34 to KWGN, should be denied. Tribune hereby reserves the right to supplement this Opposition to the extent that Trinity supplements its Petition following the recent release of OET No. 69. See Advanced Television Systems and Their Impact Upon the Existing Television Broadcasting Service, Order, MM Docket No. 97-268, released July 2, 1997.

Respectfully submitted,

  
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Its Attorneys

DATED: July 18, 1997



CERTIFICATE OF SERVICE

I, Tami Smith, hereby certify that on this 18th day of July, 1997, I caused a copy of the foregoing Opposition to Petition for Reconsideration to be served via first class mail, postage prepared to the following:

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Tami Smith